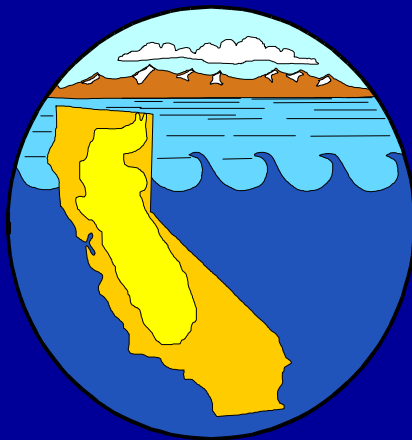


# **Central Valley Water Board Irrigated Lands Conditional Waiver Program**

## **Program Compliance**



**Diana Messina  
Public Outreach and  
Compliance Unit  
May 9, 2005**

# Why is Compliance our Goal?

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Water Board's Goal is:

To Have the Quality of Our Waters  
Support Beneficial Uses



Coalition Groups' Goal is:

Demonstrate Cond. Waiver Program  
Successful to Achieve Ultimate Goal

# Today's Presentation

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- Overview of Compliance and Enforcement Strategy
- Current Enforcement Efforts
- Results and Proposed Follow-up
- Next Enforcement Efforts

# **Areas of Program Compliance**

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- **Program Participation (Individual Growers)**
- **Compliance with Waiver Conditions  
(Coalition Groups & Individual Filers)**
- **Compliance with Basin Plan Standards  
thru Management Practice Implementation  
(Individual Growers)**

# **Areas of Program Compliance**

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**Current Initial Efforts  
Focused on  
Program Participation**

# Enforcement Strategy

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## 1. Based On Intentionality \*

- Unaware of Responsibility to Obtain Regulatory Coverage for Discharge
- Mistakenly Believe That They Are Not A Discharger
- Aware of Legal Responsibilities And Make Intentional Decision Not To Take Coverage

# **Enforcement Strategy**

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## **2. Based On Threat To Water Quality**

- **Documented Water Quality Impairment**
- **Pesticide Use**
- **Farming Patterns and Irrigated Ag Acreage in Drainage Area**

# Enforcement Tools

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- Verbal Enforcement (Informal)
- Notice of Violation (Informal)
- Technical Report and Investigation (CWC §13267)
- Clean Up and Abatement Order
- Time Schedule Order
- Cease and Desist Order
- Administrative Civil Liability



# Issued CWC § 13267 Orders

- Yolo County  
Based on  
Pesticide Use  
Report
- Madera & Fresno  
County Based on  
Vicinity to San  
Joaquin River



# Madera County Along San Joaquin River



# Madera County Along San Joaquin River



# Fresno County Along San Joaquin River



# Results of CWC §13267 Order Issuance

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## Madera

37 Orders Issued

22 Joined Coalition

4 Stated “No Discharge”

11 Did Not Report Back

## Yolo

13 Orders Issued

5 Joined Coalition

2 Stated “No Irrigated Lands”

6 Did Not Report Back

## Fresno

34 Orders Issued

18 Joined Coalition

4 Stated “No Discharge”

12 Did Not Report Back

# Proposed Follow-Up

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- **45 Coalition Members**  
**(35 Memberships after Issuance)**
- **Eight “No Discharge” in Madera & Fresno Co.**  
**Need Verification / Inspection**
- **Two “No Irrigated Lands” in Yolo Co.**  
**Verification Inspection**

# Proposed Follow-Up

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**~ 29 Non-Responders**  
(16 Reporting Immediately)



**Notice of Violations**



***Local Education and Outreach***



**Administrative Civil Liability (Fine)**

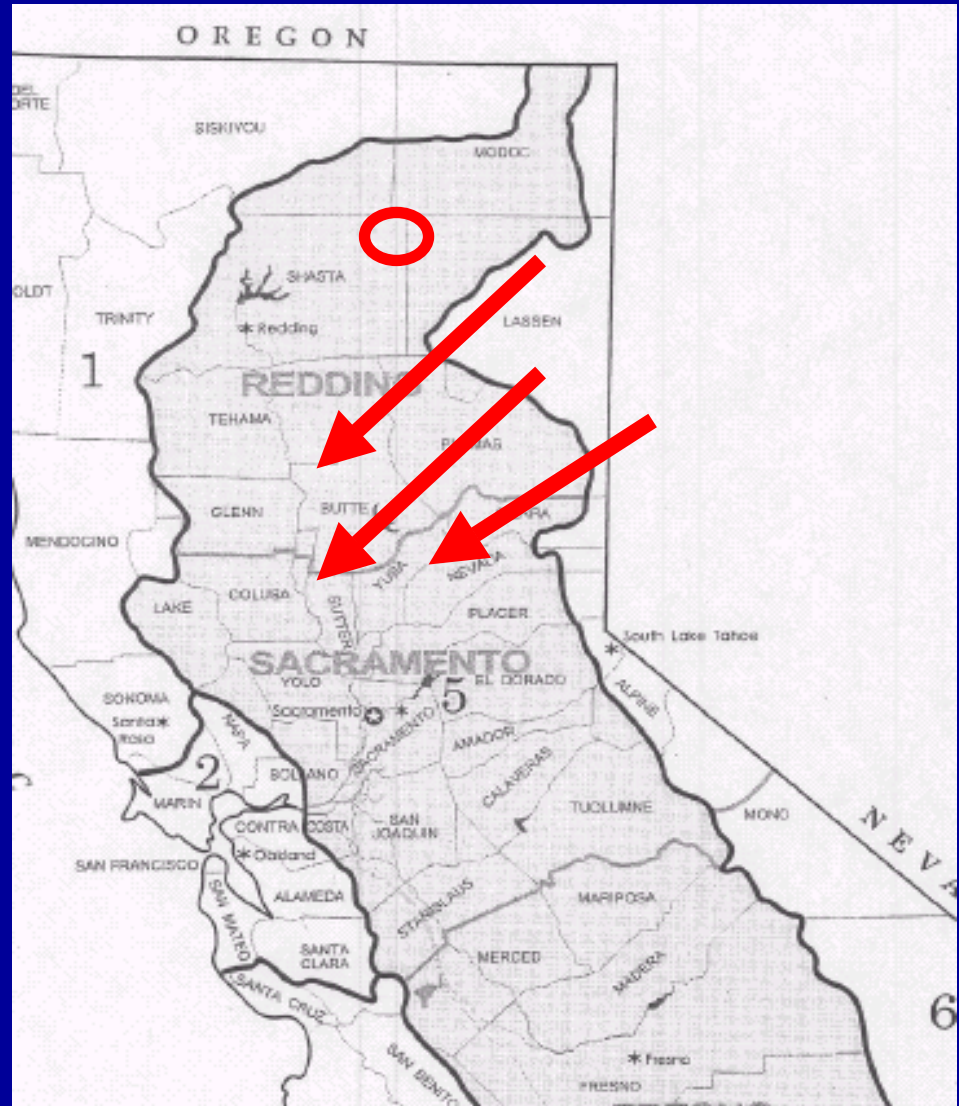
# Next Proposed Targeted Areas

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## Issuance Section

13267 Orders

- Yuba Co.  
Butte Co.  
Sutter Co.
- Upper Pit River  
Subwatershed





# **Feedback, Questions and Comments**